
Public Utilities Commission of the State of California

Public Agenda 3269

Thursday, February 24, 2011 10:00 a.m.

San Francisco, California

Commissioners

Michael R. Peevey, President

Michel Peter Florio

Catherine J.K. Sandoval

Timothy Alan Simon

For each agenda item, a summary of the proposed action is included; the Commission's decision may, however, differ from that proposed.

Website: <http://www.cpuc.ca.gov>

Scheduled Commission Meetings

505 Van Ness Avenue, San Francisco

<i>Ratesetting Deliberative Meeting*</i> Room 5305 (1:30 p.m.) <i>Closed to the Public</i>	<i>Commission Meeting</i> Auditorium (10 a.m.) <i>Open to the Public</i>
Friday, February 18, 2011 (San Francisco)	Thursday, February 24, 2011 (San Francisco)
Monday, March 07, 2011 (San Francisco)	Thursday, March 10, 2011 (San Francisco)
Monday, March 21, 2011 (San Francisco)	Thursday, March 24, 2011 (San Francisco)
Monday, April 11, 2011 (San Francisco)	Thursday, April 14, 2011 (San Francisco)
Monday, May 02, 2011 (San Francisco)	Thursday, May 05, 2011 (San Francisco)

**Ratesetting Deliberative Meeting dates are reserved as noted but will be held only if there are ratesetting matters to be considered and a Commissioner has requested that a Ratesetting Deliberative Meeting be held.*

Matters of Public Interest

For the convenience of the public and media representatives, items of widespread public interest will be taken up at the beginning of the meeting.

For further information contact the Public Advisor
(415) 703-2074 E-mail: public.advisor@cpuc.ca.gov



This location is accessible to people with disabilities. If specialized accommodations for the disabled are needed, e.g. sign language interpreters, please call the Public Advisor at (415) 703-2074 or TTY# (415) 703-5282 or toll free # 1-866-836-7825 three business days in advance of the meeting.

PUBLIC COMMENT

The following items are not subject to public comment:

- All items on the closed session agenda.
- 7, 20, 21, 22, 34, 37, 47, 47a, 51

Public Comment:

Consent Agenda

Items shown on the Consent Agenda will be taken up and voted on as a group in one of the first items of business of each Commission meeting. Items may be removed from the Consent Agenda for discussion on the Regular Agenda at the request of any Commissioner prior to the meeting.

Consent Agenda - Orders and Resolutions

Item	Preliminary Categorizations and Hearing Determinations for
1	Recently Filed Formal Applications

[10114]

Res ALJ 176-3269

PROPOSED OUTCOME:

® Ratification of preliminary determination of category for proceedings initiated by application. The Preliminary determinations are pursuant to Rule 7.1 of the Commission's Rules of Practice and Procedure.

ESTIMATED COST:

® None.

Consent Agenda - Orders and Resolutions (continued)**Item SFPP, L.P. to Charge Market-Based Rates****2**

[9572]

A09-05-014, A08-06-008, A08-06-009 - Related matters.

Application of SFPP, L.P. for authority, pursuant to Public Utilities Code Section 455.3, to increase its rates for pipeline transportation services within California.

PROPOSED OUTCOME:

® Denies application to charge market-based rates for pipeline transportation of refined petroleum products.

ESTIMATED COST:

® None.

(Comr Peevey - ALJ Bemserderfer)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=442828

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Agenda 3258, Item 11 7/29/2010 (Staff);

Agenda 3260, Item 4 9/2/2010 (Staff);

Agenda 3261, Item 3 9/23/2010 (Staff);

Agenda 3262, Item 3 10/14/2010 (Staff);

Agenda 3263, Item 3 10/28/2010 (Staff);

Agenda 3264, Item 3 11/19/2010 (Staff);

Agenda 3266, Item 2 12/16/2010 (Staff);

Agenda 3267, Item 2 1/13/2011 (Staff);

Agenda 3268, Item 2 1/27/2011 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item Amendments to the Rules of Practice and Procedure

3

[9835]

Res ALJ-260

PROPOSED OUTCOME:

® Amends the Rules of Practice and Procedure to reflect changes in the Commission's administration, to streamline certain procedures, and to provide greater clarity.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=445104

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Agenda 3268, Item 4 1/27/2011 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item Net Surplus Compensation Rate for Electric Utilities**4**

[9932]

A10-03-001, A10-03-010, A10-03-012, A10-03-013, A10-03-017 - Related matters.

In the matter of the Application of PacifiCorp for approval to implement a Net Surplus Compensation Rate.

PROPOSED OUTCOME:

® Adopts a Net Surplus Compensation Rate (NSC) for net energy metering customers who produce excess power over a 12-month period, pursuant to Assembly Bill 920.

® Adopts a market-based mechanism to calculate the NSC rate for each electric utility based on an average of day-ahead "default load aggregation point" electricity prices for the 12-month period.

® Finds that net surplus generators should be compensated for the renewable attributes of their net surplus generation if and when they produce renewable energy credits in compliance with Renewable Portfolio Standard eligibility, metering and tracking requirements, but declines to adopt a value for renewable attributes at this time.

® Requires Pacific Gas and Electric Company, Southern California Edison Company, San Diego Gas & Electric Company, Sierra Pacific Power Company, and PacifiCorp to each file a compliance advice letter to set their actual NSC rates.

® Closes the proceeding.

ESTIMATED COST:

® Assuming a NSC rate of \$.05/kilowatt hour (based on 2009 average) and annual net surplus generation for Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company of 12 million kilowatt hours, total net surplus compensation would equal \$600,000.

(Comr Peevey - ALJ Duda)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=442440

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Agenda 3266, Item 9 12/16/2010 (Staff);

Agenda 3267, Item 6 1/13/2011 (Staff);

Agenda 3268, Item 6 1/27/2011 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item **Certificate of Public Convenience and Necessity to Provide**
5 **Local Exchange and Interexchange Service to Unserved**
[10009] **Areas of California**

A09-03-028

Application of DTS of CA, Inc. for a Certificate of Public Convenience and Necessity to Construct Telecommunications Facilities and to Provide Local Exchange and Interexchange Service to unserved Territories in California.

PROPOSED OUTCOME:

- ® Grants application for Certificate of Public Convenience and Necessity.
- ® Closes the proceeding.

ESTIMATED COST:

- ® Unknown at this time, may apply for California High Cost Fund-A in the future.

(Comr Peevey - ALJ Rochester)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=445008

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Agenda 3266, Item 39 12/16/2010 (Staff);

Agenda 3267, Item 9 1/13/2011 (Staff);

Agenda 3268, Item 7 1/27/2011 (Sandoval)

Consent Agenda - Orders and Resolutions (continued)

Item **Suburban Water Systems' Recovery of a Surcharge,**
6 **Including Interest, for Legal and Related Costs of**
(Rev.) **Participating in Investigation 07-01-022**
[10051]

Res W-4863, Advice Letter 271-W Filed on December 31, 2009 - Related matters.

PROPOSED OUTCOME:

® Authorizes the utility to file a supplement to the advice letter to include the revised rate schedules attached to this Resolution in Appendix A.

ESTIMATED COST:

® \$256,618.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=444955

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Agenda 3268, Item 10 1/27/2011 (Peevey)

02/22/2011 - This revision was not shown on the Agenda mailed to the public.

Consent Agenda - Orders and Resolutions (continued)

Item Dismissing Complaints Without Prejudice**7**

[10052]

C09-12-014 , C10-01-019, C10-01-020, C10-01-021 - Related matters.

Pac-West Telecomm, Inc. vs. Sprint Spectrum, L.P., WirelessCo. L.P., Sprint Telephony PCS, L.P., Nextel of California, Inc. and jointly d/b/a Sprint PCS.

PROPOSED OUTCOME:

® Dismisses without prejudice four essentially identical complaints that Pac-West Telecomm Inc (Pac-West) has filed against a group of Commercial Mobile Radio Service (CMRS) providers for failure to pay Pac-West compensation for terminating traffic that the providers send to Pac-West. The decision concludes that:

® The complaints should be dismissed for the same reasons that recently led the Commission to dismiss Application 10-01-003 without prejudice; viz., the pendency of an appeal of the Federal Communications Commission (FCC) decision on which the complaints are based, and the possibility that the work this Commission would have to invest in the four cases might be wasted depending on the outcome of that appeal.

® The conduct Pac-West complains about appears to be permitted under current federal law, the complaints fail to state causes of action under California law for undue discrimination, unreasonable utility practices, or unjust enrichment.

® The decision also authorizes Pac-West to file a petition to reopen the cases in the event the appeal of the FCC decision is resolved favorably to Pac-West's position, and provides that in the event such a petition to reopen is granted, claims that were timely when the complaints were first filed will remain timely.

® Closes the proceeding.

ESTIMATED COST:

® Moderate costs for Pac-West in preparing any petition to reopen these cases and similar costs for the defendants in opposing any such petition to reopen. Moderate savings for Pac-West in preparing the cases and similar savings for the defendants in responding as a result of work that already has been undertaken.

(Comr Peevey - ALJ McKenzie)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=442786

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.

Agenda 3267, Item 29 1/13/2011 (Staff);

Agenda 3268, Item 11 1/27/2011 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item **California-American Water Company's Request for Monterey Peninsula Water Management District User Fee**
8

[10058]

A10-01-012

In the Matter of the Application of California-American Water Company for an Order Authorizing the Collection and Remittance of the Monterey Peninsula Water Management District User Fee.

PROPOSED OUTCOME:

- ® Finds that settlement requirement does not meet Commission standards and dismisses motion.
- ® Findings also resolve substantive issues in application, which is also denied.
- ® Application 10-01-012 is closed.

ESTIMATED COST:

- ® None.

(Comr Peevey - ALJ Bushey)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=442735

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Agenda 3268, Item 13 1/27/2011 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item **Pacific Gas and Electric Company's Manzanita Wind Project**
9 **and Issuance of a Certificate of Public Convenience and**
[10061] **Necessity**

A09-12-002

PROPOSED OUTCOME:

® Denies Pacific Gas and Electric Company's application for approval of issuance and a certificate of public convenience and necessity for the Manzanita Wind Project.

® Application 09-12-002 is closed.

ESTIMATED COST:

® None.

(Comr Peevey - ALJ Ebke)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=442728

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Agenda 3268, Item 15 1/27/2011 (Staff)

Consent Agenda - Orders and Resolutions (continued)

Item **Proposed Modifications by the California Department of**
10 **Water Resources to the Servicing and Operating Orders and**
[10072] **Agreements**

R09-06-018

Order Instituting Rulemaking to Consider the Annual Revenue Requirement Determination of the California Department of Water Resources.

PROPOSED OUTCOME:

® Grants the September 20, 2010 request of the California Department of Water Resources to modify the servicing orders and operating order and agreements that were previously approved in Decision (D) 07-03-025, D02-12-069, and D04-10-020.

ESTIMATED COST:

® None.

(Comr Peevey - ALJ Wong)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=442805

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Agenda 3268, Item 20 1/27/2011 (Staff)

Consent Agenda - Orders and Resolutions (continued)**Item Alisal Water Corporation's 2010 General Rate Case****11**

[10074]

A10-02-006

In the matter of the application of Alco Water Service, a California Corporation, for an order 1) authorizing it to increase rates for water service by \$3,709,633 or 62.6% in test year 2010; 2) authorizing it to increase rates on July 1, 2011 by \$1,752,844 or 18.2% and July 1, 2012 by \$1,016,639 or 8.9% in accordance with Decision 08-11-035, and 3) adopting other related rulings and relief necessary to implement the Commission's ratemaking policies.

PROPOSED OUTCOME:

® Adopts a partial settlement between Alisal Water Corporation and the Division of Ratepayer Advocates.

® Resolves all litigated issues.

® Application 10-02-006 is closed.

ESTIMATED COST:

® To be determined.

(Comr Peevey - ALJ Long)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=444852

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Agenda 3268, Item 21 1/27/2011 (Staff)

Consent Agenda - Orders and Resolutions (continued)**Item Dismissal in the Matter of the Appeal Under General Order**
12 156

[10096]

ALJ-266**PROPOSED OUTCOME:**

® Dismisses GO 156 2010-01, appeal of Automation Printing Company alleging improper denial of verification as woman-owned business, due to failure to prosecute.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=445001

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Item San Diego Gas & Electric Company to Modify Its Critical
13 Peak Pricing Small Customer Memorandum Account

[10097]

Res E-4378, Advice Letter 2183-E Filed on July 6, 2010 - Related matters.

PROPOSED OUTCOME:

® Approves, with modifications, San Diego Gas & Electric Company's request to revise the Critical Peak Pricing Small Customer Memorandum Account and rename the account the Dynamic Pricing Memorandum Account.

ESTIMATED COST:

® None at this time.

® The Commission will address recovery of costs recorded in this account at a later date.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=444930

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Consent Agenda - Orders and Resolutions (continued)

Item Petition for Modification of Decision 06-10-019

14

[10098]

R06-02-012

Order Instituting Rulemaking to Develop Additional Methods to Implement the California Renewables Portfolio Standard Program.

PROPOSED OUTCOME:

- ® Denies San Diego Gas & Electric Company's petition for modification of Decision 06-10-019.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Comr Peevey - ALJ Simon)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E38165

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Consent Agenda - Orders and Resolutions (continued)

Item **California Water Service Company to Recover Authorized**
15 **Revenues Collected in the Water Conservation Expenses**
[10099] **Memorandum Account Through Surcharges**

Res W-4870, Advice Letter 2006-W Filed on October 1, 2010 - Related matters.

PROPOSED OUTCOME:

® Authorizes the utility to file a supplement to the advice letter to include the revised rate schedule attached to this Resolution in Appendix B; and to transfer \$1,861,877 from its Water Conservation Expenses Memorandum Account to balancing accounts for recovery.

ESTIMATED COST:

® \$1,861,877.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=445055

Consent Agenda - Orders and Resolutions (continued)**Item Yerba Buena Water Company to Increase its Rates for Water
16 Service Through a General Rate Increase**

[10100]

Res W-4868, Advice Letter 40 Filed on August 17, 2010 - Related matters.**PROPOSED OUTCOME:**

® Authorizes the utility to file a supplement to the advice letter to include the revised rate schedule attached to this Resolution in Appendix B; to file a Tier 2 advice letter within 30 days from the effective date of this resolution to collect a surcharge for the under-collected revenues from the interim rate date to the effective date of the new rates; and to file a Tier 2 advice letter within 30 days from the effective date of this resolution to revise its forms and rules in its tariff book to meet certain Commission standards.

ESTIMATED COST:

® \$73,489.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=444770

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Consent Agenda - Orders and Resolutions (continued)

**Item Wendell Water Company for a General Rate Increase in
17 Annual Gross Revenue for Test Year 2010**

[10101]

Res W-4869, Advice Letter 29 Filed on August 11, 2010 - Related matters.

PROPOSED OUTCOME:

® Authorizes the utility to file a supplement to the advice letter to include the revised rate schedules attached to this Resolution in Appendix B; and 2) shall file a Tier 2 advice letter within 30 days of the effective date of this resolution to collect a surcharge for the undercollected revenues resulting from interim-rate approval from the date Advice Letter 29; and 3) within 30 days it shall File a Tier 2 advice letter to revise its Title Page and Schedule UF, Surcharge to Fund Public Utilities Commission User Fee.

ESTIMATED COST:

® \$1,467.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=445045

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Consent Agenda - Orders and Resolutions (continued)**Item 18 Mirant Potrero LLC, Now GenOn Potrero LLC, Proposes to Permanently Close the Potrero Generating Station**

[10102]

Res EGPB-11**PROPOSED OUTCOME:**

® Authorizes GenOn Potrero LLC, formerly Mirant Potrero LLC, to retire Potrero Generating Station Units 3, 4, 5, and 6.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=444545

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Item 19 Virgin Mobile USA, LLC for a Limited Eligible Telecommunications Carrier Status**(Rev.)**

[10103]

Res T-17284**PROPOSED OUTCOME:**

® Grants Virgin Mobile USA L.P.'s request for limited Eligible Telecommunications Carrier status.

ESTIMATED COST:

® None for the California LifeLine Program.

® All costs are subsidized at the federal level.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=441923

Pub. Util. Code § 311 – This item was mailed for Public Comment.

02/22/2011 - This revision was not shown on the Agenda mailed to the public.

Consent Agenda - Orders and Resolutions (continued)

Item Dismissal of Case 10-06-011
20

[10104]

C10-06-011

Mr. Mazen Bahu vs. Southern California Edison Company.

PROPOSED OUTCOME:

- ® Dismissal of Case 10-06-011.
- ® Case 10-06-011 is closed.

ESTIMATED COST:

- ® None.

(Comr Simon - ALJ Barnett)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=440142

Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.

Consent Agenda - Orders and Resolutions (continued)

Item Order Dismissing Complaint**21**

[10105]

(ECP) C10-04-025

Barbara Seith vs. San Diego Gas & Electric Company.

PROPOSED OUTCOME:

- ® Case dismissed for lack of prosecution.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Comr Simon - ALJ Barnett)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=442102**Item Order Dismissing Complaint****22**

[10107]

(ECP) C10-10-011

Francisco Torres vs. Southern California Edison Company.

PROPOSED OUTCOME:

- ® Decision dismisses complaint for lack of prosecution.
- ® Case 10-10-011 is closed.

ESTIMATED COST:

- ® None.

(Comr Simon - ALJ Barnett)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=440136

Consent Agenda - Orders and Resolutions (continued)

Item Order Dismissing Application 08-07-004**23**

[10108]

A08-07-004

Application of California Water Service Company for an order modifying Decision 97-12-011 to allow its regulated utility to offer non-tariffed services that qualify under the Commission's excess capacity rules.

PROPOSED OUTCOME:

- ® Dismisses the application without prejudice.
- ® Application 08-07-004 is closed.

ESTIMATED COST:

- ® None.

(Comr Peevey - ALJ Walwyn)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=440712

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Consent Agenda - Orders and Resolutions (continued)**Item Order Dismissing Complaint****24**

[10110]

(ECP) C10-02-023

Jeffrey A. Swartz and Lisa J. Swartz vs. Southern California Edison Company.

PROPOSED OUTCOME:

® Dismisses complaint for lack of prosecution.

® Case 10-02-023 is closed.

ESTIMATED COST:

® None.

(Comr Simon - ALJ Barnett)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=440171**Item Del Oro Water Company's Rate Base Offset Revenue
25 Increase For Capital Improvements in Its Strawberry District
[10111] Water Distribution System****Res W-4871**, Advice Letter 274 Filed on July 13, 2010 - Related matters.**PROPOSED OUTCOME:**

® Authorizes the utility to file a supplement to the advice letter to include the revised rate schedule attached to this Resolution in Appendix B; to submit its metered water usage report to the Division of Water and Audits no later than July 31, 2011; and to file an advice letter with a proposed modification to its metered service rate design based on actual water usage.

ESTIMATED COST:

® \$52,573.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=445071*Pub. Util. Code § 311 – This item was mailed for Public Comment.*

Consent Agenda - Orders and Resolutions (continued)**Item Annual Fee to Implement the Digital Infrastructure and Video
26 Competition Act of 2006**

[10112]

Res T-17305**PROPOSED OUTCOME:**

® Sets the annual fee for fiscal year 2010-2011 to be paid by each video franchise holder at 4.17 cents per household in its video franchise territory.

® This is a 3.9% decrease from 4.34 cents per household last year.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=444633

Pub. Util. Code § 311 – This item was mailed for Public Comment.

**Item Nexus Communications Inc.'s Limited Eligible
27 Telecommunications Carrier Status Within California**

[10113]

Res T-17258**PROPOSED OUTCOME:**

® Denies Nexus' request for limited Eligible Telecommunications Carrier status.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=442483

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Consent Agenda - Orders and Resolutions (continued)**Item The City of Victorville to Widen the Victorville Street (I-15)
28 Grade-Separated Highway-Rail Crossing**

[10115]

A10-08-019

Application of the California Department of Transportation for an order authorizing the reconstruction of the D Street and E Street Interchanges and widening of the Victorville separation and overhead over four sets of tracks owned by the Burlington Northern Santa Fe Railway (in accordance with General Order 26-D), located in the City of Victorville, County of San Bernardino, State of California.

PROPOSED OUTCOME:

® Grants Caltrans authorization to widen the existing grade separated highway-rail crossings of Victorville Street (I-15) above four sets of railroad tracks of the Burlington Northern Santa Fe Railway Company.

® Closes the proceeding.

ESTIMATED COST:

® Discretionary project, not within the scope of this proceeding.

(Exam Clark)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=443016

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Consent Agenda - Orders and Resolutions (continued)**Item Harbor Street Crossing in the Port of Stockton**
29

[10116]

A10-09-011

Application of the Port of Stockton to construct a new, at-grade railroad crossing as well as to install passive and active warning devices at Harbor Street within the County of San Joaquin.

PROPOSED OUTCOME:

- ® Grants the Port of Stockton authority to construct a new at-grade crossing over Harbor Street in the Port of Stockton, San Joaquin County.
- ® Closes the proceeding.

ESTIMATED COST:

- ® Discretionary project, not within scope of applicant request.

(Exam Clark)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=443023

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Consent Agenda - Orders and Resolutions (continued)**Item County of Riverside for Replacement, Re-alignment and
30 Widening of the Van Buren Boulevard Overhead**

[10117]

A10-08-017

Application of the County of Riverside for an order authorizing the replacement, re-alignment and widening of the Van Buren Boulevard Overhead over the San Jacinto Branch line tracks of the Riverside County Transportation Commission, that are currently operated by the BNSF Railway Company, per General Order 26-D, located in the County of Riverside, State of California.

PROPOSED OUTCOME:

® Grants County of Riverside authorization to replace, re-align, and widen the existing grade-separated highway-rail crossing of Van Buren Boulevard above the tracks of Riverside County Transportation Commission.

® Closes the proceeding.

ESTIMATED COST:

® Discretionary project, not within scope of applicant request.

(Exam Clark)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=443011

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Consent Agenda - Orders and Resolutions (continued)**Item Petition to Modify Decision 10-10-017 in Substantial Part****31**

[10118]

A09-10-028, A10-04-032 - Related matters.

Joint Application of Sierra Pacific Power Company and California Pacific Electric Company, LLC for Transfer of Control and Additional Requests Relating to Proposed Transaction.

PROPOSED OUTCOME:

® Grants petition of California Pacific Electric Company, LLC (CalPeco), in substantial part, and modifies Decision 10-10-017.

® Removes conflict with the recent order of the Federal Energy Regulatory Commission, which has asserted jurisdiction over the service provided in the Distribution Capacity Agreement and the Reliability Support Agreement, though it has disclaimed jurisdiction over the California distribution facilities; and

® Assigns a utility identification number to CalPeco.

® The modifications comport, substantively, with CalPeco's request and differ only in minor, nonsubstantive ways, in order to improve clarity.

® Closes the proceeding.

ESTIMATED COST:

® No cost is anticipated.

(Comr Peevey - ALJ Vieth)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=441891

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Consent Agenda - Orders and Resolutions (continued)

Item Main Event Transportation Inc. to Increase Passenger Fares**32**

[10123]

A10-10-017

In the Matter of the Application of Main Event Transportation Inc. for authority to Increase rates for Passenger Stage Corporation.

PROPOSED OUTCOME:

® Grants the application of Main Event Transportation Inc. to increase its one-way passenger fares by \$5 for service between points in Monterey County, San Jose International Airport, and San Francisco International Airport.

® Closes the proceeding.

ESTIMATED COST:

® A net annual increased cost to passengers of approximately \$182,500 after deducting projected fare discounts for booking service on-line.

(Exam Clark)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=443237

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Consent Agenda - Orders and Resolutions (continued)**Item Luis R. Inzunza for a Passenger Stage Corporation
33 Certificate**

[10124]

A10-12-015

Application of Luis R. Inzunza, dba South Bay Transportation for a Certificate of Public Convenience and Necessity to establish and operate as a Common Carrier Passenger Stage Company to provide on-call, door-to-door, service for passengers and their baggage between the San Diego International Airport, the San Diego Cruise Ship Terminal and the City of San Diego, and various points in the Counties of San Diego, Los Angeles, Orange and Riverside; and to establish a Zone of Rate Freedom.

PROPOSED OUTCOME:

- ® Grants the application of Luis R. Inzunza to operate as an on-call passenger stage corporation between San Diego International Airport, San Diego Cruise Ship Terminal, and other points in the City of San Diego and points in Los Angeles, Orange, Riverside, and San Diego Counties.
- ® Establishes a zone of rate freedom.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Exam Clark)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=442766

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Consent Agenda - Orders and Resolutions (continued)

Item Order Extending Statutory Deadline

34

[10141]

C10-03-005

California Cable and Telecommunications Association vs. San Diego Gas & Electric Company.

PROPOSED OUTCOME:

Extends deadline 6 months until August 27, 2011.

ESTIMATED COST:

® None.

(Comr Peevey - ALJ Bemmesderfer)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=443745

Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.

Consent Agenda - Orders and Resolutions (continued)**Item Green Line Light Rail Extension in the City of Sacramento**
35

[10142]

A10-07-013

Application of Sacramento Regional Transit District for authority to modify, construct, maintain, and operate a Light Rail Passenger System across (i) 7th & H Street (ii) 8th & H Street (iii) 7th & G Street (iv) 8th & G Street (v) 7th & F Street (vi) 7th & E-F Alley (vii) 7th & North B Street and (viii) 7th & Richards Boulevard in the City of Sacramento, State of California.

PROPOSED OUTCOME:

- ® Grants the Sacramento Regional Transit District authority to construct six new and modify two existing at-grade crossings in the City of Sacramento, Sacramento County.
- ® Closes the proceeding.

ESTIMATED COST:

- ® Discretionary project, not within scope of applicant request.

(Exam Clark)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=443524

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Consent Agenda - Orders and Resolutions (continued)

Item **Sacramento Regional Transit District to Construct a New**
36 **Light Rail Track Beneath the Union Pacific Railroad Tracks**
[10143] **in the City of Sacramento**

A10-08-007

Application of the Sacramento Regional Transit District for authority to modify, construct, maintain, and operate a Light Rail Passenger System under the UPRR Underpass Structure on 7th Street in the City of Sacramento, State of California.

PROPOSED OUTCOME:

- ® Grants the Sacramento Regional Transit District authority to construct a new grade-separated light rail track under the tracks of the Union Pacific Railroad at the 7th Street undercrossing in the City of Sacramento, Sacramento County.
- ® Closes the proceeding.

ESTIMATED COST:

- ® Discretionary project, not within scope of applicant request.

(Exam Clark)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=443523

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Consent Agenda - Orders and Resolutions (continued)

Item Order Extending Deadline**37**

[10145]

I10-02-003

Order Instituting Investigation on the Commission's own motion into the operations and practices of Americatel Corporation, to determine whether it has violated the laws, rules and regulations governing the way in which consumers are billed for products or services, by billing consumers for dial-around long distance monthly service without authorization.

PROPOSED OUTCOME:

® Extends deadline for resolving adjudicatory proceeding due to settlements until August 3, 2011.

ESTIMATED COST:

® None.

(Comr Peevey - ALJ Darling)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=443840

Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.

Consent Agenda - Orders and Resolutions (continued)**Item SureWest Communications and SureWest Telephone to
38 Encumber Assets**

[10149]

A10-12-013

Application by SureWest Communications and SureWest Telephone for authority pursuant to California Public Utilities Code Section 851 to encumber assets to secure indebtedness.

PROPOSED OUTCOME:

- ® The Commission grants the application to encumber the assets of SureWest Telephone for the purpose of securing debt.
- ® Application 10-12-013 is closed.

ESTIMATED COST:

- ® Unknown.

(Comr Peevey - ALJ Mattson)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=445014

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Consent Agenda - Orders and Resolutions (continued)

**Item Zone Telecom, Inc. for a Certificate of Public Convenience
39 and Necessity**

[10151]

A10-08-014

Application of Zone Telecom, Inc. for a Certificate of Public Convenience and Necessity to Provide Local Exchange Switchless Resale Telecommunications Services.

PROPOSED OUTCOME:

- ® Approves issuance of a certificate of public convenience and necessity.
- ® Closes the proceeding.

ESTIMATED COST:

- ® None.

(Comr Simon - ALJ Colbert)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=444781

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Consent Agenda - Intervenor Compensation Orders**Item Compensation to L. Jan Reid****40**

[10088]

R10-05-006

Order Instituting Rulemaking to Integrate and Refine Procurement Policies and Consider Long-Term Procurement Plans.

PROPOSED OUTCOME:

® Awards L. Jan Reid \$36,797 for substantial contribution to the procurement review and cost allocation mechanism groups of Pacific Gas and Electric Company.

ESTIMATED COST:

® The ratepayers of Pacific Gas and Electric Company will pay \$36,797, plus interest.

(Comr Peevey - ALJ Allen)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=442839

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Agenda 3268, Item 32 1/27/2011 (Staff)

Consent Agenda - Intervenor Compensation Orders (continued)

Item Compensation to Californians for Renewable Energy

41

[10090]

A09-09-021

Application of Pacific Gas and Electric Company for Approval of 2008 Long-Term Request for Offer Results and for Adoption of Cost Recovery and Ratemaking Mechanisms.

PROPOSED OUTCOME:

® Awards Californians for Renewable Energy \$26,993.50 for substantial contribution to decision 10-07-045.

ESTIMATED COST:

® Ratepayers of Pacific Gas and Electric company will pay \$26,993.50, plus interest.

(Comr Peevey - ALJ Farrar)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=442777

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Agenda 3268, Item 33 1/27/2011 (Staff)

Consent Agenda - Intervenor Compensation Orders (continued)

Item Compensation to The Utility Reform Network
42

[10092]

A09-09-021

Application of Pacific Gas and Electric Company for Approval of 2008 Long-Term Request for Offer Results and for Adoption of Cost Recovery and Ratemaking Mechanisms.

PROPOSED OUTCOME:

® Awards The Utility Reform Network \$62,903 for substantial contribution to Decision 10-07-045.

ESTIMATED COST:

® Ratepayers of Pacific Gas and Electric Company will pay \$62,903, plus interest if accrued.

(Comr Peevey - ALJ Farrar)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=442840

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Agenda 3268, Item 34 1/27/2011 (Staff)

Consent Agenda - Intervenor Compensation Orders (continued)

Item Compensation to The Utility Reform Network
43

[10119]

A09-04-007, A09-04-009 - Related matters.

Application of Pacific Gas and Electric Company in its 2009 Nuclear Decommissioning Cost Triennial Proceeding.

PROPOSED OUTCOME:

® Awards The Utility Reform Network \$195,170 for substantial contribution to Decision 10-07-047.

ESTIMATED COST:

® Ratepayers of Pacific Gas and Electric Company, San Diego Gas & Electric Company, and Southern California Edison Company will pay the awarded amount, plus interest.

(Comr Simon - ALJ Darling)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=440754*Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.*

Consent Agenda - Intervenor Compensation Orders (continued)**Item Compensation to Utility Consumers' Action Network****44**

[10122]

R09-07-009

Order instituting Rulemaking on the Commission's own Motion to Revise the Simplified Registration Process for Non Dominant Interexchange Carriers Established by Decision 97-06-107.

PROPOSED OUTCOME:

® Awards Utility Consumers' Action Network \$4,426 for substantial contribution to Decision 10-09-017.

ESTIMATED COST:

® The California Public Utilities Commission Intervenor Compensation Fund will pay \$4,246, plus interest.

(Comr Peevey - ALJ Smith)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=442635

Pub. Util. Code §1701.1 -- This proceeding is categorized as Quasi-Legislative.

Consent Agenda - Intervenor Compensation Orders (continued)

Item Compensation to Utility Consumers' Action Network**45**

[10131]

A08-07-017

Application of San Diego Gas & Electric Company for Approval of the SDG&E Solar Energy Project.

PROPOSED OUTCOME:

® Awards Utility Consumers' Action Network \$142,736.77 for substantial contribution to Decision 10-09-016.

ESTIMATED COST:

® Ratepayers of San Diego Gas & Electric Company will pay the awarded amount of \$142,736.77, plus interest.

(Comr Peevey - ALJ Ebke)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=441990

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Consent Agenda - Intervenor Compensation Orders (continued)

Item Compensation to Pacific Environment

46

[10134]

A09-09-021

Application of Pacific Gas and Electric Company for Approval of 2008 Long-Term Request for Offer Results and for Adoption of Cost Recovery and Ratemaking Mechanisms.

PROPOSED OUTCOME:

® Awards Pacific Environment \$57,557.31 for substantial contribution to Decision 10-07-045.

ESTIMATED COST:

® Ratepayers of Pacific Gas and Electric Company will pay \$57,557.31, plus interest.

(Comr Peevey - ALJ Farrar)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=442196

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Regular Agenda

Regular Agenda - Energy Orders

Item 47 Decision resolving a rehearing for SFPP, L.P., in Complaint 97-04-025 and related proceedings

[9370]

C97-04-025, C00-04-013, C06-12-031, A00-03-044, A03-02-027, A04-11-017, A06-01-015, A06-08-028 - Related matters.

ARCO Products Company, Mobil Oil Corporation, and Texaco Refining and Marketing Inc. vs. SFPP, L.P.

PROPOSED OUTCOME:

- ® Finds the Sepulveda Line is dedicated to public service.
- ® Finds that SFPP is not entitled to a ratemaking allowance for income taxes.
- ® Finds SFPP has not correctly allocated costs.
- ® Finds rates for Watson Station and Sepulveda facilities must be cost-based.
- ® Dismisses A.00-03-044 without prejudice, and dismisses C.00-04-013.
- ® Adopts a 2003 capital structure and cost of capital.
- ® Requires Tier 1 advice letters to implement refunds.
- ® Case (C) 97-04-025, C.06-12-031, A.00-03-044, A.03-02-027, A.06-08-028 remain open and consolidated.

ESTIMATED COST:

- ® Uncertain, but will result in substantial refunds to customers.

(Comr Peevey - ALJ Long)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=442646

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Agenda 3253, Item 33 5/6/2010 (Peevey);
 Agenda 3255, Item 31 6/3/2010 (Bohn);
 Agenda 3257, Item 27 7/8/2010 (Staff);
 Agenda 3260, Item 30 9/2/2010 (Staff);
 Agenda 3261, Item 44 9/23/2010 (Staff);
 Agenda 3262, Item 36 10/14/2010 (Staff);
 Agenda 3263, Item 28 10/28/2010 (Staff);
 Agenda 3264, Item 52 11/19/2010 (Pub. Util. Code §311(e));
 Agenda 3266, Item 49 12/16/2010 (Staff);
 Agenda 3267, Item 42 1/13/2011 (Staff);
 Agenda 3268, Item 35 1/27/2011 (Staff)

Regular Agenda - Energy Orders (continued)

Item ALTERNATE TO ITEM 9370**47a**

[9957]

PROPOSED OUTCOME:

® The subject consolidated proceeding involves three complaint cases and five related formal applications, all filed between 1997 and 2006.

® This decision resolves and closes Case (C) 97-04-025 and C00-04-013, dismisses Application (A) 00-03-044, a request for market based rates, and partly resolves A03-02-027, a general rate case. By these actions the Commission determines that: Santa Fe Pacific Pipeline, L.P. (SFPP) has dedicated its Sepulveda Line to public utility service; SFPP is entitled to a ratemaking allowance for income taxes; SFPP has not allocated environmental costs correctly between its California pipeline operations, terminal operations, and non-jurisdictional operations; SFPP must recover costs related to its Watson Station and Sepulveda facilities in cost-based, not market-based rates; SFPP's application for market based rates is outdated and must be dismissed without prejudice; SFPP may adopt a 2003 capital structure and cost of capital for ratemaking purposes; a Tier 1 advice letter is required to implement rate refunds; and, parties are directed to pursue alternative dispute resolution of the remaining ratemaking issues in the consolidated proceedings.

® These consolidated proceedings remain open.

ESTIMATED COST:

® The exact costs and refunds to ratepayers are not known at this time.

(Comr Simon)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=442577

Agenda 3264, Item 52a 11/19/2010 (Pub. Util. Code §311(e));

Agenda 3266, Item 49a 12/16/2010 (Staff);

Agenda 3267, Item 42a 1/13/2011 (Staff);

Agenda 3268, Item 35a 1/27/2011 (Staff)

Regular Agenda - Energy Orders (continued)

**Item Energy Efficiency Risk/Reward Incentive Mechanism
48 Reforms**

[9974]

R09-01-019

Order Instituting Rulemaking to Examine the Commission's Energy Efficiency Risk/Reward Incentive Mechanism.

PROPOSED OUTCOME:

- ® Modifies the methodology to calculate incentives for the 2010-2012 cycle to make process streamlined.
- ® Reduces earnings potential for incentives to correspond to adopted changes.
- ® Closes the proceeding.

ESTIMATED COST:

- ® No incremental costs expected.
- ® Streamlined measures may reduce administrative costs of the mechanism.

(Comr Peevey - ALJ Pulsifer)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=442780

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Agenda 3266, Item 57 12/16/2010 (Bohn);

Agenda 3267, Item 47 1/13/2011 (Staff);

Agenda 3268, Item 37 1/27/2011 (Staff)

Regular Agenda - Energy Orders (continued)

Item **Petition and Order Instituting Rulemaking Into Issues**
49 **Concerning Transfer of Electric and Natural Gas**
(Rev.) **Master-Metered Service at Mobilehome Parks and**
[10093] **Manufactured Housing Communities to Direct Service by**
 Electric and/or Natural Gas Corporations

P10-08-016, R. _____ - Related matters.

Petition of Western Manufactured Housing Communities Association to adopt, amend, or repeal a regulation pursuant to Public utilities Code Section 1708.5.

PROPOSED OUTCOME:

® Open rulemaking to examine what the Commission can and should do to encourage the replacement by direct utility service of the submeter systems that supply electricity, natural gas, or both to mobile home parks and manufactured housing communities located within the franchise areas of electric and natural gas corporations.

® To the extent consistent with this scope, grant the petition for rulemaking filed by Western Manufactured Housing Community Association.

® Closes the Petition.

ESTIMATED COST:

® None.

(Comr Florio - ALJ Vieth)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=445063

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Quasi-Legislative.

02/16/2011 - This revision was not shown on the Agenda mailed to the public.

Regular Agenda - Energy Orders (continued)

Item New Order Instituting Rulemaking**50**

[10125]

R._____

Order Instituting Rulemaking on the Commission's Own Motion to Adopt New Safety and Reliability Regulations for Natural Gas Transmission Pipelines and Related Ratemaking Mechanisms.

PROPOSED OUTCOME:

® Institutes a rulemaking on the Commission's own motion to adopt new safety and reliability regulations for natural gas transmission pipelines and related ratemaking mechanisms.

ESTIMATED COST:

® None.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=445123

Regular Agenda - Communication Orders

Item **Order to Show Cause why a Fine Should not be Levied for**
51 **Failure to Disclose Public Utility Revenue in California High**
[10109] **Cost Fund A Advice Letter and for Violation of Rule 1**

A07-12-026

Application of Calaveras Telephone Company, Cal-Ore Telephone Co., Ducor Telephone Company, Happy Valley Telephone Company, Hornitos Telephone Company, Kerman Telephone Co., The Ponderosa Telephone Co., Sierra Telephone Company, Inc., The Siskiyou Telephone Company, Volcano Telephone Company, and Winterhaven Telephone Company for Ratemaking Determination regarding Dissolution of Rural Telephone Bank.

PROPOSED OUTCOME:

- ® Decision imposes fines on 11 small local exchange carriers for failing to disclose receipt of \$31 million from the Rural Telephone Bank dissolution.
- ® Closes the proceeding.

ESTIMATED COST:

- ® Up to \$40,000 each.

(Comr Peevey - ALJ Bushey)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=445124

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.

Regular Agenda - Water/Sewer Orders

Item **California-American Water Company to Comply With 2009**
52 **State Water Resources Control Board Cease and Desist**
[10106] **Order Imposing Moratorium on New Connections and**
 Increased Use

A10-05-020

In the matter of the Application of California-American Water Company for an Order Authorizing and Imposing a Moratorium on Certain New or Expanded Water Service Connections in its Monterey District.

PROPOSED OUTCOME:

- ® Directs California-American Water Company to comply with a 2009 State Water Resources Control Board moratorium order in the Monterey District.
- ® Closes the proceeding.

ESTIMATED COST:

- ® Part of normal cost of administering connection requests.

(Comr Peevey - ALJ Weatherford)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E38162

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Regular Agenda - Other Utility Resolutions and Reports

Item **Establishing a Memorandum Account for All Cost-of-Service**
53 **Rate-Regulated Utilities, Other than Class C and D Water and**
[10078] **Sewer Utilities**

Res L-411

Resolution on the Commission's Own Motion Establishing a Memorandum Account for All Cost-of-Service Rate-Regulated Utilities, Other than Class C and D Water and Sewer Utilities, to Allow the Commission to Consider Reducing Rates to Reflect the Benefits of the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010.

This agenda item was previously circulated as Draft Resolution W-4867.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=445119

Agenda 3267, Item 49 1/13/2011 (Peevey);

Agenda 3268, Item 41 1/27/2011 (Staff)

Regular Agenda - Legal Division Matters**Item 54 Comments Before the Federal Energy Regulatory
Commission on Smart Grid Interoperability Standards**

[10136]

FERC Docket No. RM 11-2-000

Staff seeks Commission authorization to comment on the Federal Energy Regulatory Commission's (FERC) RM 11-2-000, which is considering Smart Grid Interoperability Standards. The Commission's comments may discuss the five foundational sets of smart grid standards posted by the National Institute of Standards and Technologies (NIST) and related issues addressed during a January 31, 2011 FERC Technical Conference on Smart Grid Interoperability Standards. The Commission's comments will also respond to additional questions FERC issues the week of February 7, 2011. The focus of FERC's Technical Conference was whether there is sufficient consensus that the five foundational sets of smart grid standards posted by the NIST are ready for FERC consideration in a rulemaking proceeding. The Commission's Comments are due on or before March 2, 2011.

**Item 55 Comments Before the Department of Commerce and the
National Institute of Standards and Technology**

[10137]

Docket No. 0909100442-0563-02, Federal Register, Vol. 75, No. 235, December 8, 2010

Staff seeks Commission authorization to file comments on smart grid and cyber security issues in response to a Request for Information (RFI) issued by the National Institute of Standards and Technology (NIST) and the Department of Commerce. The RFI seeks information regarding the effectiveness of Federal agencies' participation in the development and implementation of standards and conformity assessment activities and programs. The purpose of obtaining the information is to inform the development of case studies that will examine the effectiveness of Federal agencies' participation in standards-setting efforts led by the private sector. The NIST's Sub-Committee on Standards, which was established by the White House in March 2010, will be developing these case studies, and it is specifically interested in comments filed in response to the RFI. Staff also seeks Commission authorization to file joint comments on these issues with the Texas Public Utilities Commission. http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=444747

Regular Agenda - Legislative and Other Matters

Regular Agenda - Commissioner's Reports

Regular Agenda - Management Reports and Resolutions

Item **Chief Administrative Law Judge Report on 2010 ALJ Division**
56 **Achievements**
[10138]

Item **Report and Discussion by Consumer Protection and Safety**
57 **Division on Recent Safety Program Activities**
[10147]

Closed Session

This notice is furnished under Government Code Sections 11125 and 11126.3. The Commission will meet in Closed Session following the Public Session of its regularly scheduled meeting. In the Closed Session, the Commission may consider personnel matters as provided under Government Code Section 11126(a), institution of proceedings or disciplinary actions against any person or entity under the jurisdiction of the Commission as provided under Government Code Sections 11126(d)(2) and 11126(e)(2)(C)(i), and pending litigation as provided under Government Code Section 11126(e). Additional items may be added to the closed session agenda pursuant to Gov. Code Section 11126.3(d). If in Closed Session the Commission votes to appoint, employ, or dismiss a public employee, the Commission will thereafter reconvene in Open Session to make the disclosures required by Government Code Sections 11125.2 and 11126.3(f).

Closed Session - Applications for Rehearing

Item Conference with Legal Counsel - Application for Rehearing
58
[10095]

Compilation of applications for rehearing recently filed with the Commission.

Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.

Item Conference with Legal Counsel - Application for Rehearing
59
[10081]
C09-10-007

Disposition of application for rehearing of Decision (D) 10-09-002 filed by Frances Molarius on behalf of the Estate of Jessie Henderson (Estate). In D10-09-002 (Decision), the Commission addressed the Estate's formal complaint against Bonita Paradise, LLC dba Bonita Paradise Mobile Home Park regarding the alleged unlawful termination of electric, gas, and water utility service. The Decision found that the Estate was entitled to \$217.55 in resitution for electric, gas and water service, but denied the Estate's request for damages and other charges.

Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.

Closed Session - Applications for Rehearing (continued)

Item Conference with Legal Counsel - Application for Rehearing

60

[10126]

A10-12-014

Disposition of the Application for Rehearing of Resolution E-4373 and related Motion for Injunction/Stay filed by Leatherbury and Lowell Family Trust. In Resolution E-4373 the Commission approved San Diego Gas and Electric Company's Advice Letter 2106-E subject to the condition that San Diego Gas and Electric Company remain within their occupied 12 foot easement within the disputed sections.

Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.

Closed Session - Initiation of Litigation - Non-Federal

Consideration of possible Commission initiation of, or intervention in, litigation.

Gov. Code § 11126(e)(2)(C)(i) and/or § 11126(d)(2), allows this item to be considered in Closed Session.

Item Conference with Legal Counsel - Initiation of Litigation**61**

[9905]

I._____

Deliberation on institution of investigation of proceedings or disciplinary actions against persons or entities under the Commission's jurisdiction. (Disclosure of the case name would fail to protect the private economic or business reputation of the person or entity if the proceeding or disciplinary action is not commenced.)

Gov. Code § 11126(e)(2)(C)(i), allows this item to be considered in Closed Session.

Gov. Code § 11126(d)(2), allows this item to be considered in Closed Session.

Agenda 3264, Item 69 11/19/2010;

Agenda 3265, Item 50 12/2/2010;

Agenda 3266, Item 77 12/16/2010;

Agenda 3267, Item 55 1/13/2011;

Agenda 3268, Item 40 1/27/2011

Item Conference with Legal Counsel - Initiation of Litigation**62**

[10129]

I._____

Deliberation on instituting an investigation of proceedings or disciplinary actions against persons or entities under the Commission's jurisdiction. (Disclosure of the case name would fail to protect the private economic or business reputation of the person or entity if the proceeding or disciplinary actions is not commenced.)

Gov. Code § 11126(e)(2)(C)(i), allows this item to be considered in Closed Session.

Gov. Code § 11126(d)(2), allows this item to be considered in Closed Session.

Closed Session - Initiation of Litigation - Non-Federal (continued)

Item Conference with Legal Counsel - Initiation of Litigation

63

[10135]

I. _____

Deliberation on instituting an investigation of proceedings or disciplinary actions against persons or entities under the Commission's jurisdiction. (Disclosure of the case name would fail to protect the private economic or business reputation of the person or entity if the proceeding or disciplinary action is not commenced.)

Gov. Code § 11126(e)(2)(C)(i), allows this item to be considered in Closed Session.

Gov. Code § 11126(d)(2), allows this item to be considered in Closed Session.

Closed Session - Threatened Litigation - Non-Federal

Significant exposure to litigation

Gov. Code § 11126(e)(2)(B), allows this item to be considered in Closed Session

Closed Session - Existing Litigation - Non-Federal

Closed Session - Threatened Litigation - Federal

Significant exposure to litigation in federal agency or court proceedings.

Gov. Code § 11126(e)(2)(B), allows this item to be considered in Closed Session

Closed Session - Initiation of Litigation - Federal

Consideration of possible Commission initiation of, or intervention in, federal agency or court proceedings.

Gov. Code § 11126(e)(2)(C)(i), allows this item to be considered in Closed Session.

Closed Session - FERC Docket No. EL00-95-000, et al.

Conference with Legal Counsel - Existing Litigation; San Diego Gas & Electric Co., FERC Docket No. EL00-95, Investigation of Practices of the California Independent System Operator and the California Power Exchange, FERC Docket EL00-98, and related dockets, CPUC v. FERC, Ninth Circuit Nos. 01-71051, et al., and 01-71934, et al., and related dockets.

Gov. Code § 11126(e)(2)(A), allows this item to be considered in Closed Session.

Closed Session - Personnel Matters

Consideration of appointment, employment, evaluation of performance, or dismissal of a public employee or to hear complaints or charges brought against that employee by another person or employee.

Gov. Code § 11126(a), allows this item to be considered in Closed Session